Remarks

1. Summary of the Office Action

In the Office Action mailed October 24, 2006, the Examiner (i) rejected claims 1, 3, 10-13, and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 5,475,735 (Williams et al.), U.S. Patent Application Publication No. 2002/0164993 (Elliot) and U.S. Patent Application Publication No. 2003/0060215 (Graham), (ii) rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Williams et al., Elliot, Graham, and U.S. Patent Application Publication No. 2005/0037729 (Dupont et al.), (iii) rejected claims 4-5, 9, 14-15, and 17 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Williams et al., Elliot, Graham, and U.S. Patent No. 5,450,613 (Takahara et al.), (iv) rejected claims 6, 16, 18, and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Williams et al., Elliot, Graham, and U.S. Patent Application Publication No. 2004/0038664 (Stoks), (v) rejected claim 25 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Williams et al., Elliot, Graham, and U.S. Patent Application Publication No. 2003/0060215 (Garcia Aguilera et al.), and (vi) rejected claims 26-27 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Williams et al., Elliot, Graham, and U.S. Patent Application Publication No. 2005/0063519 (James).

2. Amendments and Pending Claims

Applicant has amended claims 1 and 22, canceled claims 2-3, 10-18, 21, and 24-27, and added new claims 28-37. Claims 1, 4-6, 9, 22-23, and 28-37 are presently pending in this application. Claims 1 and 22 are independent.

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The limitations recited in new claims 28-35 are similar to the limitations recited in claims 13-18 and 24-25 which were examined by the Examiner for the Office Action mailed October 24, 2006.

Support for the amendment to claim 1 is located in the specification at page 6, lines 12-20, page 8, lines 2-9, page 9, lines 10-14, page 19, lines 13-17, page 21, lines 2-3, and page 25, lines 14-16. Support for the amendment to claim 22 is located in the specification at page 6, lines 14-20, page 8, lines 3-9, page 19, lines 13-17, and page 25, lines 14-16. Support for new claim 28 is located in the specification at page 8, lines 16-17, and page 18, line 18 to page 19, line 2. Support for new claims 29-31 is located in the specification at page 8, line 18-22, and page 21, lines 6-8. Support for new claims 32-34 is located in the specification at page 21, lines 6-10. Support for new claim 35 is located in the specification at page 15, lines 4-5, and page 15, line 20 to page 16, line 12. Support for new claim 36 is located in the specification at page 19, lines 9-10. Support for new claim 37 is located in the specification at page 20, lines 16-19.

3. Payment of Fees

Applicant believes that no fee is required at this time. However, should any additional fees(s) be required under 37 C.F.R. §§ 1.16-1.21, please charge such fee(s) or credit any overpayment of such fee(s) to Deposit Account No. 210765.

4. Response to the Claim Rejections

The Examiner rejected claims 1, 3, 10-13, and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Williams et al., Elliot, and Graham. Of these rejected claims, independent claims 1 and 22 are still pending. Applicant amended claim 1 to include the limitations of claim 2, which the Examiner rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Williams et al., Elliot, Graham, and Dupont et al.

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According to M.P.E.P §2143, in order to establish a *prima facie* case of obviousness of a claimed invention by applying a combination of references, the combination must disclose or suggest all of the claim limitations. Amended claims 1 and 22 clearly distinguish over the combination of Williams et al., Elliot, Graham, and Dupont et al. because the combination of Williams et al., Elliot, Graham, and Dupont et al. fails to disclose or suggest all of the limitations of either of these claims.

In particular, the combination of Williams et al., Elliot, Graham, and Dupont et al. fails to disclose or suggest at least the elements of: (i) after activating the alert, at an interface of the fixed wireless device, receiving location information for changing the registered location stored at the fixed wireless device to match the current location of the fixed wireless device, as recited in amended claim 1, and (ii) an interface to receive location information for changing the registered location stored at the wireless local loop hub to match the current location of the wireless local loop hub, wherein the location information is received at the interface after the alert mechanism is invoked to provide the alert, as recited in amended claim 22.

At best, the combination of Williams et al., Elliot, Graham, and Dupont et al. teaches:

> (i) if a location of a mobile device does not match a stored path plan, ***an alert signal is transmitted to the mobile device*** and the alert signal may include a voice message, such as 'you have deviated from your path plan,' or a new optimal path, to an ultimate destination may be recalculated based on a present location of the mobile device and such ***directions may be transmitted*** to the mobile device, (see, e.g., Elliot, paragraph 0029),
>
> (ii) a system determines presence and locations of subscribers in a geographic area and ***provides information related to the locations of the subscribers*** within the geographic area to a subscriber ***for display*** on the subscriber's wireless mobile station, (see, e.g., Graham, paragraph 0034), and
>
> (iii) an expected path for a monitored person is determined, a real path followed by the monitored person is detected and compared with the expected path, an alert is sent to at least one alertee through a communication network when the real path differs from the expected path, and the monitored person may be the alertee so that, if his/her path differs

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from the predetermined path, he/she is ***alerted in order to correct his/her path***, (see, e.g., Dupont et al, abstract and paragraph 0123).

Although the combination of Williams et al., Elliot, Graham, and Dupont et al. teaches transmitting ***an alert signal and directions*** to a mobile station, providing information related to locations of subscribers for ***display*** on a subscriber's mobile station, and alerting an alertee ***in order to correct the alertee's path***, these teachings, alone or in combination with the other teachings of Williams et al., Elliot, Graham, and Dupont et al., do not teach or suggest (i) after activating the alert, at an interface of the fixed wireless device, receiving location information for changing the registered location stored at the fixed wireless device to match the current location of the fixed wireless device, as recited in claim 1, and (ii) an interface to receive location information for changing the registered location stored at the wireless local loop hub to match the current location of the wireless local loop hub, wherein the location information is received at the interface after the alert mechanism is invoked to provide the alert, as recited in claim 22.

Further, in rejecting claims 1, 10-12, and 21-22, the Examiner indicated Graham teaches that it is well known in the art that as a mobile station moves from one cell to another, the cellular phone system updates a record of the mobile station's current location. The Examiner cited to Graham, paragraph 0004, lines 4-6. Graham teaches (i) this type of location information is typically stored in a database that can be accessed by mobile switching centers, and (ii) a subscriber database operated by a cellular telephone service provider that services a geographic area to obtain presence and location information of subscribers within the geographic area can be a HLR (home location register) or may include a VLR (visitor location register). (See, e.g., Graham, paragraph 0004, lines 8-9, and paragraphs 0009-0010). Even if it is assumed that the mobile station of Graham is a fixed wireless device, which Applicant does not concede, Applicant submits that these portions of Graham do not teach changing a registered location

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stored at a fixed wireless device to match a current location of the fixed wireless device because these portions of Graham do not teach that updating the record of mobile station's current location occurs at the mobile station.

Further still, according to M.P.E.P. § 2143.01, "[a] statement that modifications of the prior art to meet the claimed invention would have been 'well within the ordinary skill of the art at the time the claimed invention was made' because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references."

However, the Examiner has not pointed to any objective evidence that would suggest modifying Williams et al., Elliot, Graham, or Dupont et al. to overcome their clear deficiency and to achieve Applicant's invention. In particular, the Examiner has cited no objective evidence that would have suggested adding to Williams et al., Elliot, Graham or Dupont et al. Applicant's claim functions of (i) after activating the alert, at an interface of the fixed wireless device, receiving location information for changing the registered location stored at the fixed wireless device to match the current location of the fixed wireless device, and (ii) an interface to receive location information for changing the registered location stored at the wireless local loop hub to match the current location of the wireless local loop hub, wherein the location information is received at the interface after the alert mechanism is invoked to provide the alert.

Rather, at best, the Examiner expressed the subjective belief that:

> (i) one of ordinary skill in the art could envision applying the general concept of locating a device and comparing a current location to a predetermined (i.e., registered) location and setting off an alarm if the device is not in the predetermined (i.e., registered) location to not only mobile wireless devices but also fixed wireless devices,

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(ii) it would have been obvious to update the location of a device, which has been moved from its registered location, whether it is a mobile or fixed wireless device,

(iii) it would have been obvious to modify Williams et al. such that there is a comparison of a registered location of a fixed wireless device to a current location of the fixed wireless device and responsively activating an alert if the registered location of the fixed wireless device does not match the current location of the fixed wireless device and changing the registered location to match the current location, to provide a method of appropriately routing communications to a device's most current location after if has been moved from its original location, and

(iv) it would have been obvious to modify Williams et al., Elliot, and Graham, such that the comparing function and the activating function is performed at the fixed wireless device, to provide a method of lessening the workload off of the network.

Since the combination of Williams et al., Elliot, Graham, and Dupont et al. fails to disclose at least the claim functions (i) after activating the alert, at an interface of the fixed wireless device, receiving location information for changing the registered location stored at the fixed wireless device to match the current location of the fixed wireless device, and (ii) an interface to receive location information for changing the registered location stored at the wireless local loop hub to match the current location of the wireless local loop hub, wherein the location information is received at the interface after the alert mechanism is invoked to provide the alert, and since the Examiner has not cited any objective evidence that would have suggest modifying Williams et al., Elliot, Graham, or Dupont et al. to include these claim functions, the Examiner has not made out the requisite *prima facie* case of obviousness of any of independent claims 1 or 22. Therefore, Applicant submits that claims 1 and 22 are allowable. Further, without conceding the assertions made by the Examiner regarding dependent claims 4-6, 9, and 23, Applicant submits that dependent claims 4-6, 9, and 23 are allowable for at least the reason that they depend from allowable claim 1. Further still, Applicant submits that new claims 28-37 are allowable for at least the reason that they depend from one of allowable claims 1 or 22.

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5. Conclusion

Applicant believes that all of the pending claims have been addressed in this response. However, failure to address a specific rejection or assertion made by the Examiner does not signify that Applicant agrees with or concedes that rejection or assertion.

For the foregoing reasons, Applicant submits that claims 1, 4-6, 9, 22-23, and 28-37 are in condition for allowance. Therefore, Applicant respectfully requests favorable reconsideration and allowance of all of the claims.

Respectfully submitted,

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Date: DECEMBER 18, 2006

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